Attorney's Docket No.: 10002599-1 Amendment dated Sep. 4, 2009 Reply to Office action dated Aug. 26, 2009

Applicant: Jian Fan Serial No.: 09/709,685 Filed: November 9, 2000

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Remarks

Status of claims

Claims 1-6, 8-21, and 23-57 are pending.

The Examiner has withdrawn all prior rejections of the pending claims over the prior art (see §1 on page 2 of the Office action). The only remaining issues in the application are the new rejections of claims 1-6, 8-21, and 23-57 under 35 U.S.C. §§ 101 and 112, first paragraph.

Claim rejections under 35 U.S.C. § 101

The Examiner has rejected claims 1-6, 8-21, and 23-57 under 35 U.S.C. §101 as being directed to non-statutory subject matter.

As amended, independent claim 1 is tied to a particular machine (i.e., a "processor"; see, e.g., FIG. 2 and page 10, line 21 - page 11, line 4 of the specification) and therefore is directed to statutory subject matter.

Claims 2-6, 8-21, and 23-57 depend from independent claim 1 and therefore are directed to statutory subject matter for at least the same reason as independent claim 1.

III. Claim rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-6, 8-21, and 23-57 under 35 U.S.C. § 112, first paragraph, on the sole basis that the claims were deemed to be directed to non-statutory subject matter.

For the reasons explained above, all the pending claims are directed to patentable subject matter. Therefore, the Examiner's rejection of these claims under 35 U.S.C. § 112, first paragraph, now should be withdrawn.

IV. Conclusion

For the reasons explained above, all of the pending claims are now in condition for allowance and should be allowed.

Charge any excess fees or apply any credits to Deposit Account No. 08-2025.

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Respectfully submitted,

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